

he opened his own office. He accepted an appointment as a judge of the 27th Judicial District in 1978 and 8 years later was appointed to the Kentucky Court of Appeals.

Judge Dyche plans to take some time off to begin his retirement. From there he said he has a couple of possibilities lined up. I am sure his wife Jane and his sons Robert and John are looking forward to seeing more of him.

On June 12 of this year, The Sentinel Echo published an article highlighting Judge Dyche's accomplishments while in office as well as the excellence with which he carried out his job. I ask unanimous consent that the full article be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[FROM THE SENTINEL ECHO]

JUDGE DYCHE RETIRING AFTER 20 YEARS

(By Carl Keith Greene)

Twenty years after his appointment and subsequent election to the Kentucky Court of Appeals Judge R.W. Dyche III will retire on June 20.

Dyche, 55, who began his career as a law clerk for Baxter Bledsoe and Larry Allen, served also as Laurel District Judge for eight years.

"I look forward to a new chapter, learning new things, learning different things, I've become even more convinced lately that when you quit learning you begin dying. I'm learning a few new things," he said in an interview Thursday.

Dyche entered the legal profession because, "It's all that ever interested me. I had a phase of electronics and electrical engineering. But starting about my freshman year in high school it's all that ever interested me."

He said the best thing about being a judge for him is "getting to see the good side of humanity. Unfortunately, along with that you also see the bad side."

He said the good side is made up of generosity, love, attorneys who go out of their way to represent their client well—sometimes at no cost—people who just want to do the right thing.

On the bad side, he has seen families who fight, or people who abuse or neglect children. He said these are the two worst scenarios.

Though it is hard to pinpoint a typical case Dyche has heard, he said in the criminal side, anymore, is a drug case, and generally, the most common grounds for claimed error is illegal search and seizure.

"Very often the drugs are found on the person or in close proximity and the only out they have is to say the search is illegal."

In civil court, "unfortunately domestic things are growing and growing and growing. It's such a good thing that we're going to get a family court here soon," he said.

Dyche estimated there are approximately 75 percent of affirmations of lower court cases and 25 percent reversals.

He said the case that stands out in his memory is from about 1988 or 1989 "where a child was taken from the mother at the hospital before she ever got the chance to show whether she could be a good mother, based on past history and predictability. I wrote an opinion reversing that saying, it could be under very close supervision but she should be given the chance."

He said he prides himself, and his staff, on being able to write opinions that litigants can understand, not written in what is called

"legalese" but written in plain English and short concise form so they can understand why they won or lost.

Dyche is a 1968 graduate of London High School. He earned his bachelor's degree from Danville's Centre College and his law degree at the University of Kentucky College of Law in 1975.

He and his wife of 27 years, Jane, also a lawyer, have two sons, Robert, 24, who is in law school and John, 13, an eight-grader at North Laurel Middle School.

In his years in the Laurel judicial system he has seen the court system grow from one circuit judge, Bob Helton; one district judge, Lewis Hopper; one trial commissioner, Dyche; and one pre-trial services officer, Fred Yaden.

Now there are two circuit judges, two district judges, at least two trial commissioners, and three or four pre-trial officers, he said. The case load has, with the county, grown so much.

"I can remember in the late 70s when Les Yaden was sheriff there was Les, Oscar Brown, Earl Bailey as deputies and Evelene Greene and Les' daughter Janie making up the entire Sheriff's office staff."

Now there are many, many who are needed.

Looking ahead, Dyche said he is going to take some time off to start out with, and is exploring, a couple of possibilities.

"I'm certainly not going to be idle," he said.

He said he has learned a few things about doing his job since he began the journey.

"I came into this at age 27 single, and early on I was having and I was lecturing a father, 'Oh you need to do this, you need to do that. Here's what you do with your son.' I was giving him down the road. The guy looked at me and said, 'Buddy, you got any children?' I said 'no.' He said 'huh.'"

He concluded, "I'm much more understanding when things don't go exactly as you planned in raising children."

"I appreciated how good everybody's been to me, the cooperation of the people, my staff, Sandy Slusher and Julie Ledford, and particularly my friend Fred Yaden. I'll be around. I won't go far."

#### A TRIBUTE TO DYCHE

(By Sandy Slusher, Appeals Court Judicial Secretary)

Working at the Court of Appeals has been the highlight of a career and life that I thought would never happen. I took a job years ago with the law firm of Allen & Bledsoe. Robbie Dyche was in law school and clerked at the firm. I found him a most interesting person when he was in the office.

When the firm dissolved, Robbie decided to open his own office. He asked if I would like to work for him, and I eagerly accepted. That was 30 years ago. His practice grew but he realized public service was truly his calling. In 1978 he accepted an appointment as district judge under the new judicial reform system, Eldon Keller, (the Circuit court Clerk at the time), hired me as a deputy clerk. I still was able to work with Judge Dyche, as well as Judge Lewis Hopper.

In 1986, Judge Dyche was appointed to the Kentucky Court of Appeals and asked if I would like to work as his secretary. The judge, Julie Ledford, our staff attorney, and I went to Frankfort together to be sworn in.

In Judge Dyche's office, we have formed a small family unit supporting each other through divorce, marriage, births, deaths graduations, illnesses both in the office and in extended family members. We have celebrated with each other at the happy times, and embraced and consoled each other through the heartbreaking moments. It had been so good.

Throughout Judge Dyche's tenure our office policy has been to write opinions that are concise, strictly based on law, easily understood by the average citizen as well as the judiciary, and rendered as soon as possible. Matters involving child custody always took precedent over other matters and Judge Dyche consistently would volunteer to take additional cases involving child custody in order to fast track these matters through the Court.

I have formed friendships that will endure for the remainder of my time on earth. If the opportunity presented itself, I would do it all over without a moment of hesitation!

#### COMMENDATION OF TIMOTHY E. LESHAN

Mr. KENNEDY. Mr. President, I welcome this opportunity to commend the exemplary work of Tim Leshan, who is leaving the National Human Genome Research Institute at the National Institutes of Health to become the director of government relations and community affairs at Brown University.

For the past 5 years, Mr. Leshan has served the National Human Genome Research Institute with great distinction. As branch chief of policy and program analysis at the Institute, he provided focus and leadership in numerous areas of public policy on genetics.

He served as the congressional liaison during the completion of the Human Genome Project and the International HapMap project, and was the Institute's planning and evaluation officer.

As liaison to the Secretary of Health and Human Services and the White House, he has facilitated contacts between the director of the Institute and numerous Federal, State, and international policy makers.

Mr. Leshan has guided policy development for the Institute on issues relating to genomic medicine, intellectual property, and regulation of genetic tests. He has also facilitated the resolution of complex policy issues for all of NIH with respect to the National Library of Medicine's PubChem database, and provided technical assistance to the House and Senate appropriations committees and authorizing committees. He also had a particularly important leadership role in the development of legislation against genetic discrimination and on privacy protections for genetic information.

He has provided impressive technical advice to many of us in the Senate in drafting legislation on genetic non-discrimination and health disparities. One of Tim's major regrets as he leaves the Institute is not having seen the passage and signing of genetic non-discrimination legislation. Hopefully, action on that legislation will be completed before the end of the current session of Congress, and I am sure Tim will be there at the signing as a principal adviser for all of us on the bill.

Before joining the Institute, Mr. Leshan was the director of public policy for the American Society for Cell Biology, where he cofounded the Coalition for the Advancement of Medical

Research, and staffed the Joint Steering Committee for Public Policy. Earlier, Mr. Leshan had worked in government relations at the Kennedy School of Government at Harvard University, and also at Duke University.

Through his contributions to public policy, health, and privacy, Mr. Leshan's work has exemplified the best of government service, and the impact that such dedicated service can have for the Nation as a whole.

I extend my warmest wishes to Mr. Leshan in his new responsibilities at Brown University, and on behalf of the Congress and the country gratitude for his outstanding service to NIH, Congress, and the country.

#### NOT ALL GUNS ARE CREATED EQUAL

Mr. LEVIN. Mr. President, in the late 1980s and early 1990s, crime statistics indicated a growing threat posed by a military-style semiautomatic assault weapons in the hands of criminals. A 1994 report by the Bureau of Alcohol, Tobacco, Firearms and Explosives, ATF, determined that while assault weapons made up only 1 percent of the guns in circulation in the United States at that time, they accounted for up to 8 percent of the guns used in crimes, "thus making them preferred by criminals over law-abiding citizens 8 to 1." The ATF relied on data such as this to support the establishment of a federal ban on assault weapons. Such a ban was enacted by Congress as part of the 1994 Violent Crime Control and Law Enforcement Act and was signed into law by President Clinton.

Following the enactment of the assault weapon ban, the National Institute of Justice, an agency within the Department of Justice, conducted a study that was mandated by Congress on the short-term impact of the statute. The study found that crimes involving assault weapons dropped 20 percent in the year following enactment of the law. Additional research by the Centers for Disease Control and Prevention found deaths caused by guns dropped from 38,505 in 1994 to 29,573 in 2001.

Ten years after the assault weapons ban was passed, Los Angeles Chief of Police Bill Bratton said:

Since the assault weapons ban was passed in 1994, we have seen a 66 percent decline in the frequency of assault weapons use in crime. Violent criminals love these weapons because they give them far more firepower than conventional weapons that greatly increases their capacity to kill. We cannot allow these weapons to get back into their hands.

On May 8 of this year, two Fairfax County police officers were shot to death by an 18-year-old armed with multiple guns, including an AK-47-style assault rifle. Unfortunately, assault rifles like the one reported in this attack, as well as many other similar assault weapons, are once again being legally produced and sold as a result of

the expiration of the assault weapons ban.

In 1994, I voted to establish of the assault weapons ban and 10 years later I joined a bipartisan majority of the Senate in voting to extend the ban for another 10 years. Unfortunately, despite the overwhelming support of the law enforcement community, the ongoing threat of terrorism, and the bipartisan support in the Senate, neither the President nor the majority's congressional leadership acted to protect Americans from assault weapons like the one used in the attack on the Fairfax County police station. As a result, 19 types of previously banned military-style assault weapons are once again on the streets and in the neighborhoods of our cities and towns.

Congress must take up and pass common sense gun safety legislation to help prevent such tragedies from occurring in the future.

#### PASSAGE OF THE FISCAL YEAR 2007 DEPARTMENT OF DEFENSE AUTHORIZATION BILL

Mr. FEINGOLD. Mr. President, first and foremost, I want to thank the members of the U.S. Armed Forces for their service to our country. These servicemen and women are performing admirably under difficult circumstances all over the world. Our soldiers, sailors, airmen, and marines, along with their families, are making great sacrifices in service to our country. I am pleased to support a Defense Department authorization bill that will help these people who are serving the country with such courage.

I supported a number of good provisions in the Senate bill, such as the rejection of the President's proposal to increase TRICARE enrollment fees and co-payments, increased funding for training programs for our nation's authorized Weapons of Mass Destruction Civil-Support Teams, and increased funding for nonproliferation programs. Another aspect of the bill that I strongly support is the increased funding for force protection equipment. I have heard from a number of Wisconsinites over the years that they or their deployed loved ones were fighting for their country in Iraq without the equipment they needed. This situation is unconscionable, and my colleagues and I have worked hard to address it. The additional \$950.5 million for force protection equipment, including \$559.8 million for additional up-armored humvees and \$100 million for counter-IED vehicles, in this bill above what was requested in the President's proposed budget further ensures that our troops have the equipment they need to perform their duties on the ground.

I am pleased that the Senate approved the Military Family Support Act amendment that I offered with Senator JEFFORDS. This amendment is designed to assist military families struggling with the long-term absence of a family member. Under this legisla-

tion, the Office of Personnel Management is directed to administer a pilot program authorizing Federal employees, who have been designated "caregivers" by a member of the Armed Forces, to use their earned leave time in a more flexible manner while a family member is deployed overseas. This amendment also encourages the Department of Labor to solicit private businesses to voluntarily offer more accommodating leave time to caregivers affected by these deployments.

This bill also authorizes funding for a provision I authored in last years' Department of Defense authorization bill establishing the Civilian Linguist Reserve Corps, CLRC, pilot project. It became very clear after the attacks of September 11, 2001 that the U.S. Government has a dearth of critical language skills. The 9/11 Commission report documented the disastrous consequences of this deficiency which, unfortunately, we still have not made enough progress in addressing over 4 years after the 9/11 tragedy. I am pleased that this bill included the CLRC pilot project.

I am also pleased that I was able to pass a Buy American Act reporting requirement for the Department of Defense. This reporting requirement is similar to the reporting requirement that I have worked to enact for the past 3 years through the appropriations process and requires the Department of Defense to report annually the dollar value of any items purchased that were manufactured outside of the United States; an itemized list of all applicable waivers granted with respect to such items under the Buy American Act; and a summary of the total procurement funds spent by the federal agency on goods manufactured in the United States versus on goods manufactured overseas. Additionally, the amendment requires the Department of Defense to make this report publicly available to the maximum extent possible. I will continue to work to ensure a similar permanent reporting requirement is extended to all Federal agencies.

I also authored successful amendments to the bill that require the administration to develop a comprehensive strategy for establishing stability and fighting terrorism in Somalia and to study of the feasibility of establishing an United States regional combatant command for Africa. In addition, the bill includes an important amendment I offered to strengthen the Special Inspector General for Iraq.

Unfortunately, I was not able to get other amendments of mine adopted. I filed a straightforward amendment that would have made life a little easier for our servicemembers and their families when they are called up to duty or transferred. When this happens now, servicemembers often face cellular phone early termination fees or the prospect of paying the monthly bill for a cell phone they cannot use until the end of their contract—up to 2